

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

UNITED STATES OF AMERICA,

Plaintiff,

and

NATURAL RESOURCES DEFENSE
COUNCIL, INC. AND SIERRA CLUB,

Intervenor-Plaintiffs,

v.

DTE ENERGY COMPANY AND
DETROIT EDISON COMPANY,

Defendants.

Civil Action No.
2:10-cv-13101-BAF-RSW

Judge Bernard A. Friedman

Magistrate Judge R. Steven Whalen

**DEFENDANTS' MOTION FOR EXTENSION OF PAGE LIMIT
FOR REPLY BRIEF IN SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT**

Pursuant to Local Rule 7.1, Defendants DTE Energy Company and Detroit Edison Company move for an extension of the page limit for their Reply Brief in support of Defendants' Motion for Summary Judgment (Docket Entry No. 164). Under Local Rule 7.1(d)(3), Defendants' page limit for this reply brief is seven (7) pages. Defendants respectfully request that this limit be extended to twelve (12) pages.

Defendants have conferred with counsel for the Plaintiff and counsel for Intervenor-Plaintiffs regarding this motion. Plaintiff and Intervenor-Plaintiffs consent to an extension of the page limit to ten (10) pages. Plaintiff and Intervenor-Plaintiffs take no position as to whether an extension to twelve (12) pages is appropriate.

Defendants state the extension is necessary to allow Defendants to respond more fully to issues raised by the Plaintiff and Intervenor-Plaintiffs in their separate oppositions to

Defendants' motion for summary judgment. The page extension will give the Court a more complete discussion of the issues of first impression presented by this motion. Accordingly, Defendants respectfully request that Defendants be allowed to submit in support of their Motion for Summary Judgment a reply brief not to exceed 12 pages in length.

A proposed Order is enclosed.

Dated: August 19, 2013

By: /s/ George P. Sibley, III

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CERTIFICATE OF SERVICE

I hereby certify that on August 19, 2013, the foregoing **DEFENDANTS' MOTION FOR EXTENSION OF PAGE LIMIT FOR REPLY BRIEF IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT** was served electronically only on the following attorneys of record in accordance with an agreement reached among the parties:

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